

## **REMARKS**

Claims 1-10 and 21 are pending and under consideration in the above-identified application. Claims 11-20 and 22 were cancelled previously.

In the Final Office Action dated December 2, 2008, the Examiner rejected claims 1-10 and 21.

With this Amendment, claims 1 and 21 were amended. No new matter has been introduced as a result of the amendments.

### **I. 35 U.S.C. § 112 Indefiniteness Rejection of Claims**

Claim 21 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner rejected the claim for insufficient antecedent basis for, “the material for audio equipment housing.”

Applicant believes that proper antecedent basis for the material is provided because claim 1 recites the following limitation, “an audio equipment housing made of *a material*.” (emphasis added). As such, antecedent basis for the material in claim 21 is provided. However, Applicant amended claim 21 to clarify that the claim limitation is for the audio equipment housing of claim 1, namely the audio equipment housing is a television apparatus, a stereo apparatus, a radio cassette player, or a headphone. Accordingly, the above rejection is now moot. As such, Applicant respectfully requests that the above rejection be withdrawn.

### **II. 35 U.S.C. § 102 Anticipation and § 103 Obviousness Rejection of Claims**

Claims 1-10 and 21 were rejected under 35 U.S.C. § 102(a) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Fujihara, et al., European Patent Application No. 1213111 A2 (EP ‘111) and Fujihara et al. U.S. publication No. 2002 0128344 (U.S. ‘344). Applicant respectfully traverses this rejection.

The claims require an audio equipment housing made of a material that includes a biodegradable polymer compound, an inorganic material, a rubber component and a hydrolysis inhibitor. The rubber component is added to provide appropriate mechanical strength (elastic modulus) to the material and the hydrolysis inhibitor is added to the acoustic apparatus housing to prevent the housing from decomposing due to moisture in the air. Specification, pages 14, lines 24-31 & 19, lines 20-29. The claims also require that the material has a specific gravity of  $1.3 \text{ g/cm}^3$  or more, (b) a velocity of 1700 m/s or more, and (c) a dynamic elastic modulus (E(Pa)) of  $4.0\text{E} +09$  or more. As discussed in the specification, the audio equipment housing required by the claims improves the acoustic property of the housing.

Fujihara et al. teaches a method for producing a biodegradable resin material with natural or synthetic mica and a hydrolysis inhibitor for use in housing of household appliances. U.S. '344, Paragraphs [0003], [0033] & EP '111, Paragraph [0001]. Fujihara et al. specifically teaches the addition of mica to improve the elastic modulus of the material. U.S. '344, Paragraph [0028] & EP '111, Paragraph [0028]. Additionally, Fujihara et al. teaches that the method for producing a biodegradable resin material includes an irradiating step with a microwave that increases the storage elastic modulus from  $1.0 \times 10^7 \text{ Pa}$  to  $1 \times 10^9 \text{ Pa}$ . U.S. '344, Paragraph [0019] & EP '111, Paragraph [0017].

Fujihara et al. does not, however, teach or even fairly suggest an audio housing equipment made of a material that includes a rubber component in order to improve the elastic modulus of the material. In fact, Fujihara et al. specifically teaches the addition of mica and an irradiating step with a microwave in order to improve the elastic modulus.

Additionally, specific gravity is not an inherent characteristic in material that is made up of more than one component. As such, the audio housing equipment taught by Fujihara et al.

does not have the specific gravity required by the claims. The specific gravity required by the claims improves the acoustic property of the material that comprises the audio equipment housing, whereas material taught by Fujihara et al. is suitable for general electric equipment, not acoustic equipment. As such, Fujihara et al. fails to teach or suggest all the required elements of the claims. Thus, claims 1-10 and 21 are patentable over the cited references. Accordingly, Applicant respectfully requests the above rejection be withdrawn.

### **III. Conclusion**

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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